

103(a) as being unpatentable over Lazzery in view of Lightbody as applied to Claim 1 above, and further in view of Hiramoto et al (U.S. Patent No. 5,847,783; hereinafter "Hiramoto"). The Office Action also rejected Claim 7 under 35 U.S.C. § 103(a) as being unpatentable over Lazzery in view of Lightbody as applied to Claim 1 above, and further in view of Iguchi (U.S. Patent No. 5,233,451; hereinafter "Iguchi"). Applicants submit that the pending amended claims are patentable over the cited art for at least the following reasons.

Claim 1 claims, in pertinent part: "[a] display device [including]... a resilient connection pin which provides a variable-pressure metal-metal contact[.]"

As stated in previous prosecution, in Lazzery, the conductor, although resilient due to the underlying rubber, is a plurality of spaced apart at least partially encircling lines (78) of conductive material. The conductive material encircles an insulating material (such as Mylar) wrapped around cylinder 70. Lazzery's conductor is substantially more complex to produce and insert into a Liquid Crystal Module than Applicants' connection pin. It requires conductors wrapped around Mylar, wrapped around rubber, wrapped around a wire, which is held in place by slots in which the wire must be inserted (see, e.g., col. 2, line 45 to col. 4, line 27). Further, Lazzery lacks the

advantage of added contact reliability from variable-pressure metal-metal contact provides in a manufactured standard pin.

The present Office Action cites Lightbody as disclosing a resilient connection pin providing variable-pressure metal-metal contact. Lightbody and Lazzery cannot be properly combined. Since Lazzery's contact requires conductors wrapped around Mylar, wrapped around rubber, wrapped around a wire, which is held in place by slots in which the wire must be inserted, and Lightbody utilizes double ended pins 12, one of ordinary skill in the art at the time of the invention would not have the requisite motivation to combine the two references for the purpose of improving connection and stabilization. The reason for this is that Lazzery's rubber is not the equivalent of, nor would one of ordinary skill in the art replace Lazzery's rubber with a pin of Lightbody because rubber and resilient pins function in such substantially different ways. (See, e.g., *Slimfold Mfg. Co. v. Kinhead Industries, Inc.*, 932 F.2d 1453, 18 USPQ2d 1942 (Fed Cir. 1991) where a latch and a wedge were held to have very different modes of operation, different enough in the way that it operates that it avoided infringement.) M.P.E.P. § 706.02(j) states:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to

combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

In addition, to modify the invention in Lazzery to replace column 70 with one or more double pins, as in Lightbody, would require substantial manipulation of the cell. This would require a large effort on the part of one skilled in the art at the time of the invention to achieve the result. This further indicates that Lazzery and Lightbody cannot properly be combined.

Further, Lazzery relies upon clamping to maintain a tight and rigid fitting assemblage of parts and contacts. However, as recited in Lazzery, "[s]ome slight deformation of the connectors 24 thus occurs, the connectors bowing out slightly toward and against the cell lower substrate" (Col. 4, lines 39-42). Lazzery compensates for this deformation by including projections to serve as stops which limit the pressure applied against the resilient connectors (e.g., Col. 4, lines 42-46). It is unclear to Applicants how one skilled in the art could possess the requisite motivation to combine Lazzery with Lightbody given this additional requirement.

In addition, Claim 1 is also believed patentable since the rubber column of Lazzery cannot be replaced by pins without improper hindsight by "use[ing] the claimed invention itself as a blueprint for piecing together elements in the prior art to defeat the patentability of the claimed invention," see *In Re Denis Rouffet*, 47 USPQ.2d 1453, 1457-58 (Fed. Cir. 1998).

Consequently, Lazzery in view of Lightbody fails to anticipate Applicants' invention. Consequently, Claim 1 is believed patentable over Lazzery in view of Lightbody for at least these reasons.

Claims 2-3 and 5-10 depend from Claim 1 and are believed patentable for at least the same reasons. Applicants believe that the amendment to Claim 1 additionally renders the 35 U.S.C. § 103(a) rejections of Claims 5, 7, and 9 moot. In addition, Claims 2-3 and 5-10 are also deemed to define additional aspects of the invention, and should be individually considered on their own merits.

In view of the foregoing, it is respectfully submitted that the currently pending claims, as herein amended, clearly define statutory subject matter. Accordingly, allowance of the currently pending claims is now respectfully submitted to be justified, and favorable consideration is earnestly solicited.

Respectfully submitted,

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